Mother, Two Sisters and a Pregnant Wife

Question: A man is survived by his mother, two sisters and a pregnant wife. How will his estate be distributed?

Answer: It is best to postpone the distribution until after the wife delivers the child. However, if the heirs do not agree to this, the unborn child will be assumed to be a boy. After settling all debts and expenses as determined by the Shari'ah, the estate will then be divided into 24 shares and distributed as follows:

Heir?????????????????????????????

Son ????????????????????

Mother ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? 4

2 Sister ?????????????????0

The share of the son will then be placed in trust for the son and given to him when he comes of age.

If a daughter is born, the estate will be divided into 24 shares also and distributed as follows:

Heir???????????????????????????????

Wife ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? 3

Mother ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? 4

2 Sister????????????????????????????????

However, if (Allaah forbid) the child is stillborn, the estate will be divided into 13 shares and distributed as follows:

Heir???????????????????

Wife ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? 3

2 Sister ? ? ? ? ? ? ? ? ? ? ? ? ? ? 4 each

And Allaah knows best what is most correct.

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